

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT W. GORDON,

Plaintiff,

-against-

WILSON ELSEER MOSKOWITZ EDELMAN & DICKER :
LLP, RORY L. LUBIN, STUART MILLER, and JOHN :
and JANE DOE (said names being fictitious, the persons :
intended being those who aided and abetted the unlawful :
conduct of the named Defendants). :

Defendants.

X
: Case No.:
: 1:22-CV-05212-JPC-JW

: **NOTICE OF MOTION**

C O U N S E L O R :

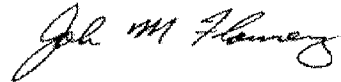
PLEASE TAKE NOTICE that upon the annexed declaration of John M. Flannery, Esq., dated August 29, 2022 and all the prior proceedings herein, defendants Wilson Elser Moskowitz Edelman & Dicker, Rory L. Lubin and Stuart Miller, by their undersigned attorneys, will move this Court, before the Hon. John P. Cronan, on October 7, 2022 or as soon thereafter as counsel may be heard, for an Order, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure and Section 4 of the Federal Arbitration Act, 9 U.S.C. §4, dismissing this action and compelling the parties to arbitrate the disputes raised by the complaint herein or, in the alternative, to dismiss the complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failing to state a claim upon which relief can be granted; and for such other, further or different relief as the Court in its discretion may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court order of July 28, 2022
(DE# 28), opposition papers are due on September 28, 2022.

Dated: White Plains, New York
August 29, 2022

Yours, etc.

WILSON ELSEER MOSKOWITZ EDELMAN & DICKER LLP



By: _____

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